ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Wireless Services; National	)	WT Docket No. 96-86
Communications Services System	)	
Petition for Rulemaking Filed	)	

The concept of "priority access" has no place in any wireless component of the public switched telephone network. Public safety officials and rescue workers do have a legitimate and immediate need for radio communications during a disaster situation. However, public safety agencies have one significant advantage not available to most of the public: Public safety agencies have the privilege of operating dedicated radio communications systems on spectrum reserved for their exclusive use.

The wireless public switched telephone network belongs in service to the public in times of crisis. Priority access in use by a number of officials at the scene of a widespread disaster could effectively "lock out" or preclude wireless access by the public. This amounts to undue governmental restriction of citizens' ability to communicate at a time when they most need it. This is clearly not conducive to public interest, convenience, or necessity.

Who is to say when priority access is to be used? I see nothing stopping officials from dialing the code whenever stuck in traffic with wireless circuits loading heavily.

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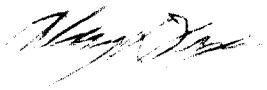
Relying on a public utility is a poor substitute for a properly engineered dedicated public safety radio communications system. Why would any agency choose, under such circumstances, to use a system which, it is known, will peak in traffic? One fact is painfully obvious here: The priority access system will not increase communications capacity, nor will it render any more efficient use of Commercial Mobile Radio Service spectrum.

Further, the idea of a dialed access code is ludicrous. Such a code could never be kept secret. Even if it could, it would not be long into a disaster situation that the code would be either discovered, leaked, or broken by those who feel a need to do such things. It is ironic that such a scheme is conceived at a time when the cellular industry is being pillaged by cellular cloning, and Personal Identification Number interception. We have failed to stop the hackers from cracking a fairly complex validation system. What is to stop them from dialing a "*XX" code, or any other keypad combination?

Interestingly, the Advanced Mobile Phone system has a provision for a function somewhat similar to the proposed priority access. This is the Overload Access Code (OAC), a user priority scale of zero to sixteen, which applies only to originating mobile calls. As in the proposed priority access, this feature will not preempt calls in progress, nor prioritize terminating calls. Happily, this feature has never been used in the domestic cellular system, with one exception. That exception has been a local public safety agency in a suburban neighborhood. Their OAC is the only one of any priority, and that code is widely known among engineers and technicians. The OAC could be the hackers' delight . . . it is easily re-programmable from the phone's keypad.

Cellular service is a convenient adjunct for routine use, but public safety agencies deserve proper dedicated radio communications systems upon which to rely.

Signed by my hand on the 26th day of June, in the year of our Lord, 1996.



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